KAPLAN*FOX*



Kaplan Fox & Kilsheimer LLP 805 Third Avenue New York, NY 10022 phone 212.687.1980 fax 212.687.7714 email mail@kaplanfox.com www.kaplanfox.com

April 9, 2007

VIA FEDERAL EXPRESS

Jeffrey Luthi Judicial Panel on Multidistrict Litigation One Columbus Circle, N.E. Thurgood Marshall Federal Judiciary Building Room G-255 Washington, D.C. 20002-8004

> Re: In re Pet Foods Product Liability Litigation - MDL No. 1850

Dear Mr. Luthi:

We represent movants Jayme Pittsonberger, David Carter, and Jim Bullock in connection with the above-captioned matter.

We understand, after communicating with Teresa Bishop of the Panel staff, that our motion papers were submitted too late to be included on the same hearing session as the previous motion. Please file our motion papers as an "interested party response," so that our position may be considered at the hearing on the motions already filed in this litigation. We further understand that the new actions we referenced in our papers may be considered as tag-along cases should the Panel issue a transfer order in this litigation.

Please contact me should you have any questions concerning this letter or our prior filing.

CMF:lcs

cc: All parties on service list

NEW YORK, NY

LOS ANGELES, CA

SAN FRANCISCO, CA

CHICAGO, IL

RICHMOND. VA

MORRISTOWN, NI

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE PET FOODS PRODUCT LIABILITY LITIGATION MDL Docket No.1850

CERTIFICATE OF SERVICE

This is to certify that I have this day served upon all Parties' counsel of record, or upon the Party if no counsel of record appears, a copy of the within and foregoing "LETTER TO THE PANEL DATED APRIL 9, 2007 CONCERNING PLAINTIFFS JAYME PITTSONBERGER, DAVID CARTER AND JIM BULLOCK'S JOINT MOTION FOR TRANSFER AND COORDINATION PURSUANT TO 28 U.S.C §1407" by causing a copy of same to be deposited in the United States mail, postage prepaid, and properly addressed to the persons and entities listed on the attached service list.

This is also to certify that I have this day mailed to the clerk of each United States District Court in which an action is pending that will be affected by the Motion for Transfer and Coordination Pursuant to 28 U.S.C. § 1407 a copy, for purposes of filing in said Court, of the within and foregoing "LETTER TO THE PANEL DATED APRIL 9, 2007 CONCERNING

PLAINTIFFS JAYME PITTSONBERGER, DAVID CARTER AND JIM BULLOCK'S JOINT MOTION FOR TRANSFER AND COORDINATION PURSUANT TO 28 U.S.C.

§1407" by causing a copy of same to be deposited in the United States mail, postage prepaid, and properly addressed to the courts listed on the attached service list.

Dated: April 9, 2007

Respectfully submitted,

KAPLANFOX & KILSHEIMER LIP

ROBERT KAPLAN
LINDA NUSSBAUM
CHRISTINE M. FOX

805 Third Avenue, 22nd Floor. New York, NY 10022

Tel: (212) 687-1980 Fax: (212) 687-7714

KAPLAN FOX & KILSHEIMER LLP LAURENCE D. KING 555 Montgomery Street, Suite 1501 San Francisco, CA 94111

Tel: (415) 772-4700 Fax: (415) 772-4707

Attorneys for Plaintiffs Pittsonberger, Carter, and Bullock

KAPLAN FOX & KILSHEIMER LLP WILLIAM J. PINILIS 237 South Street Morristown, NJ 07962

Tel: (973) 656-0222 Fax: (973) 401-1114

Attorneys for Plaintiffs Carter and Bullock

SCHNEIDER & WALLACE TODD M. SCHNEIDER 180 Montgomery Street, Suite 2000 San Francisco, CA 94104

Tel: (415) 421-7100 Fax: (415) 421-7105 Attorneys for Plaintiffs Pittsonberger, Carter, and Bullock

THE MASON LAW FIRM, L.L.P. GARY E. MASON DONNA F. SOLEN 1225 19th Street, N.W., Suite 500 Washington, D.C. 20036 Tel: (202) 429-2290 Fax: (202) 429-2294

Attorneys for Plaintiffs Pittsonberger, Carter, and Bullock

KANTROWITZ, GOLDHAMMER & GRAIFMAN GARY S. GRAIFMAN 210 Summit Avenue Montvale, NJ 07645 Tel: (201) 391-7000 Fax: (201) 307-1086

Attorneys for Plaintiff Pittsonberger

KARP, FROSH, LAPIDUS, WIGODSKY & NORWIND, P.A. JEFFREY A. WIGODSKY 1133 Connecticut Avenue, N.W., Suite 250 Washington, D.C. 20036 Tel: (202) 822-3777 Fax: (202) 822-9722

Attorneys for Plaintiff Pittsonberger

VANEK, VICKERS & MASINI P.C. JOSEPH M. VANEK 111 S. Wacker Drive, Suite 4050 Chicago, IL 60606 Tel: (312) 224-1500 Fax: (312) 224-1510

Attorneys for Plaintiff Pittsonberger

MENU FOODS SERVICE LIST

DEFENDANTS

Menu Foods Midwest Corporation P.O. Box 1046 1400 East Logan Ave. Emporia, KS 66801	Menu Foods Income Fund 8 Falconer Drive Streetsville, ON Canada, L5N 1B1
Menu Foods, Inc. 9130 Griffith Mogan Lane Pennsauken, NJ 08110 Menu Foods South Dakota, Inc. c/o The Corporation Trust Company Corporation Trust Center 1209 Orange Street Wilmington, DE 19801	Menu Foods Limited 8 Falconer Drive Streetsville, ON Canada, L5N 1B1 Menu Foods Holdings, Inc. c/o The Corporation Trust Company Corporation Trust Center 1209 Orange Street Wilmington, DE 19801
Menu Foods Gen Par Limited c/o The Corporation Trust Company Corporation Trust Center 1209 Orange Street Wilmington, DE 19801	Menu Foods Limited Partnership c/o The Corporation Trust Company Corporation Trust Center 1209 Orange Street Wilmington, DE 19801
Menu Foods Operating Partnership c/o The Corporation Trust Company Corporation Trust Center 1209 Orange Street Wilmington, DE 19801	Wal-Mart Stores, Inc. c/o The Corporation Company 425 W. Capitol Ave., Ste. 1700 Little Rock, AR 72201
Eukanuba One Proctor & Gamble Plaza C-2 Cincinnati, OH 45202	The Iams Company One Proctor & Gamble Plaza C-2 Cincinnati, OH 45202
Xuzhou Anying Biologic Technology Development Company Ltd. Wangdian Industrial Pei County Jiangsu P. R. China, Xuzhou, Jiangsu, China	Suzhou Textile Import and Export Company 201 Zhuhui Rd. Suzhou, Jiangsu, China 215006

OTHER PLAINTIFFS' COUNSEL IN THESE ACTIONS		
Counsel for Plaintiffs in the Sims Action:	Counsel for Plaintiffs in Scott, et al. Action:	
Jason M. Hatfield	Jeremy Young Hutchinson	
Lundy & Davis, LLP	Patton, Roberts, McWilliams & Capshaw	
300 North College Ave., Suite 309	111 Center Street, Suite 1315	
Fayetteville, AR 72701 Tel.: 479/527-3921	Little Rock, AR 72201 Tel.: 501/372-3480	
Fax: 479/527-3921 Fax: 479/587-9196	Fax: 501/372-3488	
Email: jhatfield@lundydavis.com	Email: jhutchinson @pattonroberts.com	
Counsel for Plaintiffs in Scott, et al. Action:	Counsel For Plaintiffs In The Schneider, And Workman, et al Actions:	
Richard Adams		
Patton, Roberts, McWilliams & Capshaw	Donna Siegel Moffa	
Century Bank Plaza, Suite 400	Trujillo, Rodriguez & Richards, LLP	
P.O. Box 6128	8 Kings Highway West	
Texarkana, TX 75505-6128	Haddonfield, NJ 08033	
	Tel.: 856/795-9002	
	Email: donna@trrlaw.com	
Counsel for Plaintiffs in the Workman, et al, Action:	Counsel for Plaintiffs in the Workman, et al, Action:	
Sherrie R. Savett	Robert A. Rovner	
Berger & Montague, P.C.	Rovner, Allen, Rovner, Zimmerman & Nash	
1622 Locust Street	175 Bustleton Pike	
Philadelphia, PA 19103	Feasterville, PA 19053-6456	
Counsel for Plaintiff in the Troiano Action:	Counsel for Plaintiffs in the Workman, et al,	
Paul J. Geller	Action:	
Lerach Coughlin Stoia Geller Rudman	Lawrence Kopelman	
Robbins LLP	Kopelman & Blankman	
120 E. Palmetto Park Road, Suite 500	350 E. Las Olas Blvd., Suite 980	
Boca Raton, FL 33432-4809	Ft. Lauderdale, FL 33301	
Tel.: 561/750-3000	Tel.: 954/462-6899	
	1	

Counsel for Plaintiff in the Holt Action:	Counsel for Plaintiff in the Holt Action:
A. James Andres	Perry A. Craft
Nicole Bass	Craft & Sheppard
905 Locust Street	214 Centerview Dr., Suite 233
Knoxville, TN 37902	Brentwood, TN 37027
Tel.: 865/660-3993	Tel.: 615/309-1707
Fax: 865/523-4623	Fax: 615/309-1717
Email: andrewsesq@iex.net	Email: perrycraft@craftsheppardlaw.com
Counsel for Plaintiff in the <i>Holt</i> Action:	Counsel for Plaintiff in the Whaley, Heller,
	et al. and Kornelius, et al. Actions:
Nicole Bass	·
905 Locust Street	Michael David Myers
Knoxville, TN 37902	Myers & Company
	1809 7th Avc., Suite 700
	Seattle, WA 98101
	Tel.: 206/398-1188
	Fax: 206/398-1189
	Email: mmyers@myers-company.com
Counsel for Plaintiff in the Majerczyk	Counsel for Plaintiffs in the Suggett, et al.
Action:	Action:
Jay Edelson	Adam P. Karp
Blim & Edelson, LLC	Animal Law Offices
53 West Jackson Blvd., Suite 1642	114 W. Magnolia St., Suite 425
Chicago, IL 60604	Bellingham, WA 98225
Tel.: 312/913-9400	Tcl.: 360/392-3936
Email: jay@blimlaw.com	Email: adam@animal-lawyer.com
Counsel for Plaintiffs in the Osborne Action:	Counsel for Plaintiff in the Johnson et al
Counsel for Trainfills in the Osborne Action.	Action:
Bruce E. Newman	
Bidee E. Hewittan	i
Newman, Creed & Associates	Mr. Philip H. Gordon
	Mr. Philip H. Gordon Gordon Law Offices
Newman, Creed & Associates	1
Newman, Creed & Associates 99 North Street, Route 6	Gordon Law Offices
Newman, Creed & Associates 99 North Street, Route 6 P.O. Box 575	Gordon Law Offices 623 West Hays St.
Newman, Creed & Associates 99 North Street, Route 6 P.O. Box 575 Bristol, CT 06011-0575	Gordon Law Offices 623 West Hays St. Boise, ID 83702

Counsel for Plaintiff in the Sexton Action:	Counsel for Plaintiff in the Sexton Action:
Mark J. Tamblyn	Stuart C. Talley
Wexler Toriseva Wallace LLP	Kershaw, Cutter & Ratnoff, LLP
1610 Arden Way, Suite 290	980 9th Street, 19th Floor
Sacramento, CA 95815	Sacramento, CA 95814
Counsel for Plaintiffs in the Thompson, and	Counsel for Plaintiffs in the Tinker Action:
Trautman Action:	
	Alan E. Sash
Gregg D. Trautmann	Mclaughlin & Stern, LLP.
Trautmann & Associates, LLC	260 Madison Avenue
262 East Main Street	New York, NY 10016
Rockaway, NJ 07866	212-448-1100
(973) 316-8100	212-448-0066 (fax)
gdt@trautmann.com	
Counsel for Plaintiffs in the Wilson, Hidalgo,	Counsel for Plaintiffs in the Bonier, et al
Nunez, Golding, Gagliardi, Turturro, and	Action:
Richard, Et Al Actions:	
	Michael A. Ferrara, Jr.
Joseph J. Depalma	The Ferrara Law Firm
Lite, Depalma, Greenberg & Rivas, LLC	601 Longwood Avenue
Two Gateway Center	Cherry Hill, Nj 08002
12th Floor	(856) 779-9500
Newark, NJ 07102-5003	Mfcrrara@Ferraralawfirm.Com
(973) 623-3000	
jdepalma@ldgrlaw.com	
Counsel for Plaintiffs in the Carter, et al Action:	Counsel for Plaintiffs in the Pittsonberg, and Carter, et al Action:
Todd M. Schneider	Gary E. Mason
Schneider & Wallace	Donna F. Solen
180 Montgomery Street, Suite 2000	The Mason Law Firm, L.L.P.
San Francisco, CA 94104	1225 19th Street, Nw
(415) 421-7100	Suite 500
(415) 421-7105 (fax)	Washington, D.C. 20036
<u> </u>	(202) 429-2290
	(202) 429-2294 (fax)

Counsel for Plaintiffs in the Brown Action:

Peter N. Wasylyk Law Offices Of Peter N Wasylyk 1307 Chalkstone Ave. 1307 Chalkstone Ave. Providence, Ri 02908 (401) 831-7730 (401) 861-6064 (fax)

Counsel for Plaintiffs in the Brown Action:

Marc Stanley Stanley, Mandel, & Iola, Llp 3100 Monticello Avenuc, Suite 750 Dallas, Texas 75205 (214) 443-4300 (214) 443-0358 (fax)

Counsel for Plaintiffs in the Brown Action:

Andre S. Kierstead Law Offices Of Andrew S. Kierstead 1001 Sw Fifth Ave., Suite 1100 Portland, Or 97204 (508) 224-6246 (508) 224-4356 (fax)

Counsel for Plaintiffs in the Heller, et al, and Johnson, et al, and Kornelius, et al Actions:

Steve W. Berman Hagens Berman Sobol Shapiro Llp 1301 5th Ave Ste 2900 Seattle, Wa 98101 206-623-7292 Steve@Hbsslaw.Com

COURTS		
Clerk of Court U.S. District Court, Western District of Washington 700 Stewart Street Seattle, WA 98101	Clerk of Court U.S. District Court, Western District of Arkansas 35 E. Mountain Street, Suite 510 Fayetteville, AR 72701-5354	
Clerk of Court U.S. District Court, District of New Jersey 4th & Cooper Streets, Suite 1050 Camden, NJ 08101	Clerk of Court U.S. District Court Southern District of Florida 299 E. Broward Blvd., Suite 108 Fort, Lauderdale, FL 33301	
Clerk of Court U.S. District Court, District of New Jersey Martin Luther King Building & U.S. Courthouse 50 Walnut Street Room 4015 Newark, NJ 07101	Clerk of Court U.S. District Court, District of Connecticut 450 Main Hartford, CT 06103	
Clerk of Court U.S. District Court, Central District of California 312 N. Spring St., Rm G-8 Los Angeles, CA 90012	Clerk of Court U.S. District Court, Northern District of Illinois 209 S. Dearborn Street Chicago, IL 60604	
Clerk of the Court c/o Lynn Kamke, Divisional Manager U.S. District Court, Eastern District of Tennessee 800 Market Street, Suite 130 Knoxville, TN 37902	Clerk of Court U.S. District Court, District of Rhode Island Federal Building and Courthouse One Exchange Terrace Providence, RI 02903	